

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) made available to any member of Congress upon request.

SEC. 1079. EXPEDITED PROCEDURES FOR CONGRESSIONAL ACTION.

(a) **CONSIDERATION BY CONGRESS.**—Any resolution of disapproval described in subsection (b) may be considered by Congress using the expedited procedures set forth in this section.

(b) **RESOLUTION OF DISAPPROVAL.**—For purposes of this section, the term “resolution” means only a joint resolution of the two Houses of Congress—

(1) the title of which is as follows: “A joint resolution disapproving of the use of the United States Armed Forces in the prosecution of certain conflict.”;

(2) which does not have a preamble; and

(3) the sole matter after the resolving clause of which is as follows: “That Congress does not approve the use of military force in the prosecution of _____”, with the blank space being filled with a description of the conflict concerned.

(c) **REFERRAL.**—A resolution described in subsection (b) introduced in the Senate shall be referred to the Committee on Foreign Relations of the Senate. A resolution described in subsection (b) that is introduced in the House of Representatives shall be referred to the Committee on Foreign Affairs of the House of Representatives.

(d) **DISCHARGE.**—If the committee to which a resolution described in subsection (b) is referred has not reported such resolution (or an identical resolution) by the end of 10 calendar days beginning on the date of introduction, such committee shall be, at the end of such period, discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.

(e) **CONSIDERATION.**—

(1) **IN GENERAL.**—On or after the third calendar day after the date on which the committee to which such a resolution is referred has reported, or has been discharged (under subsection (d)) from further consideration of, such a resolution, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution. All points of order against the resolution (and against consideration of the resolution) are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the respective House shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the resolution shall remain the unfinished business of the respective House until disposed of.

(2) **DEBATE.**—Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the resolution. An amendment to the resolution is not in order. A motion further to limit debate is in order and not debatable. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(3) **VOTE ON FINAL PASSAGE.**—Immediately following the conclusion of the debate on the resolution and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(4) **APPEALS FROM DECISIONS OF CHAIR.**—Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution shall be decided without debate.

(f) **CONSIDERATION BY OTHER HOUSE.**—

(1) **IN GENERAL.**—If, before the passage by one House of a resolution of that House described in subsection (b), that House receives from the other House a resolution described in subsection (b), then the following procedures shall apply:

(A) The resolution of the other House shall not be referred to a committee.

(B)(i) The consideration as described in (e) in that House shall be the same as if no resolution had been received from the other House; but

(ii) The vote on final passage shall be on the resolution of the other House.

(2) **FOLLOWING DISPOSITION.**—Upon disposition of the resolution received from the other House, it shall no longer be in order to consider the resolution that originated in the receiving House.

(g) **VETOES.**—If the President vetoes a resolution, debate in the Senate of any veto message with respect to the resolution, including all debatable motions and appeals in connection with the resolution, shall be limited to 10 hours, which shall be divided equally between those favoring and those opposing the resolution.

(h) **RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.**—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in subsection (b), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 1080. TERMINATION OF FUNDING.

Notwithstanding any other provision of law, no funds appropriated or otherwise made available under any law may be obligated or expended for any activity by United States forces for which prior congressional authorization is required under this part but has not been obtained, or for which authorization is required under this part but has not been obtained by the deadline specified in section 1078(c) or for which a resolution of disapproval in accordance with section 1079(b) has been enacted into law.

SEC. 1081. INTERPRETATION OF STATUTORY AUTHORITY REQUIREMENT.

Statutory authority to introduce United States forces into hostilities or into situations where there is a serious risk of hostilities, or to retain them in a situation where hostilities or the serious risk thereof has developed, shall not be inferred—

(1) from any provision of law, including any provision contained in any appropriation Act, unless such provision expressly authorizes such introduction or retention and states that it is intended to constitute specific statutory authorization within the meaning of this part; or

(2) from any source of international legal obligation binding on the United States, including any resolution of the United Nations Security Council and any treaty ratified before, on, or after the date of the enactment of this Act, unless such treaty is implemented by legislation specifically authorizing such introduction or retention and stating that it is intended to constitute specific statutory authorization within the meaning of this part.

SEC. 1082. SEPARABILITY CLAUSE.

If any provision of this part or the application thereof to any person or circumstance is held invalid, the remainder of the resolution and the application of such provision to any other person or circumstance shall not be affected thereby.

PART II—ARMS EXPORT CONTROL

SEC. 1085. SHORT TITLE.

This part may be cited as the “Arms Export Reform Act of 2021”.

SEC. 1086. PURPOSE.

It is the purpose of this part to ensure the proper role of Congress in national security decisions pertaining to sales, exports, leases, and loans of defense articles, especially with respect to armed conflict and human rights.

SEC. 1087. CONGRESSIONAL AUTHORIZATION OF ARMS SALES.

(a) **CERTIFICATION REQUIRED.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, in the case of a covered letter of offer, a covered application for a license, or a covered agreement, before such a letter of offer or license is issued or before such an agreement is entered into or renewed, the President shall submit to Congress a certification described in paragraph (3).

(2) **COVERED LETTERS OF OFFERS, APPLICATIONS FOR LICENSES, AND AGREEMENTS.**—For purposes of this subsection:

(A) A covered letter of offer is any letter of offer to sell under the Arms Export Control Act (22 U.S.C. 2751 et seq.) any item described in subsection (c).

(B) A covered application for a license is any application by a person (other than with regard to a sale under section 21 or 22 of the Arms Export Control Act (22 U.S.C. 2761, 2762)) for a license for the export of any item described in subsection (c).

(C) A covered agreement is any agreement involving the lease under chapter 6 of the Arms Export Control Act (22 U.S.C. 2796 et seq.), or the loan under chapter 2 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311 et seq.), of any item described in subsection (c) to any foreign country or international organization for a period of one year or longer.

(3) **CERTIFICATION DESCRIBED.**—A certification described in this paragraph is a numbered certification containing the following:

(A) In the case of a letter of offer to sell, the information described in section 36(b)(1) of the Arms Export Control Act (22 U.S.C. 2776(b)(1)) and section 36(b)(2) of such Act, as redesignated by section 1090(a) of this Act, without regard to the dollar amount of such sale, except as specified in subsection (c).

(B) In the case of a license for export (other than with regard to a sale under section 21 or 22 of the Arms Export Control Act (22 U.S.C. 2761, 2762)), the information described in section 36(c) of such Act (22 U.S.C. 2776(c)), as amended by section 1090(b) of this Act, without regard to the dollar amount of such export, except as specified in subsection (c).

(C) In the case of a lease or loan agreement, the information described in section 62(a) of the Arms Export Control Act (22 U.S.C. 2796a(a)), unless section 62(b) of such Act (22 U.S.C. 2796a(b)) applies, without regard to the dollar amount of such lease or loan, except as specified in subsection (c).

(b) CONGRESSIONAL AUTHORIZATION REQUIRED.—

(1) PRIOR CONGRESSIONAL AUTHORIZATION.—No letter of offer may be issued under the Arms Export Control Act (22 U.S.C. 2751 et seq.) with respect to a proposed sale of any item described in subsection (c) to any country or international organization (other than a country or international organization described in paragraph (2)), no license may be issued under such Act with respect to a proposed export of any such item to any such country or organization, and no lease may be made under chapter 6 of such Act (22 U.S.C. 2796 et seq.) and no loan may be made under chapter 2 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311 et seq.) of any such item to any such country or organization, unless there is enacted a joint resolution or other provision of law authorizing such sale, export, lease, or loan, as the case may be.

(2) NATO AND CERTAIN COUNTRIES.—No letter of offer or license described in paragraph (1) may be issued and no lease or loan described in such paragraph may be made with respect to a proposed sale, export, lease, or loan, as the case may be, of any item described in subsection (c) to the North Atlantic Treaty Organization (NATO), any member country of such organization, Australia, Japan, the Republic of Korea, Israel, New Zealand, or Taiwan, if, not later than 20 calendar days after receiving the appropriate certification, a joint resolution is enacted prohibiting the proposed sale, export, lease, or loan, as the case may be.

(c) ITEMS DESCRIBED.—The items described in this subsection are those items of types and classes as follows (including parts, components, and technical data):

(1) Firearms and ammunition of \$1,000,000 or more.

(2) Air to ground munitions of \$14,000,000 or more.

(3) Tanks, armored vehicles, and related munitions of \$14,000,000 or more.

(4) Fixed and rotary, manned or unmanned armed aircraft of \$14,000,000 or more.

(5) Services or training to security services of \$14,000,000 or more.

SEC. 1088. PROCEDURES FOR CONSIDERATION OF JOINT RESOLUTION AUTHORIZING OR PROHIBITING ARMS SALES.

(a) CONSIDERATION BY CONGRESS.—

(1) IN GENERAL.—Except as provided under paragraph (2), any joint resolution under section 1087(b) shall be considered by Congress using the expedited procedures set forth in section 1079(c)-(h).

(2) CONSIDERATION OF MULTIPLE CERTIFICATIONS.—

(A) MULTIPLE CERTIFICATIONS.—If a joint resolution under section 1087(b) deals with more than one certification, the references in section 601(b)(3)(A) of the International Security Assistance and Arms Export Control Act of 1976 (Public Law 94-329; 90 Stat. 765) to a resolution with respect to the same certification shall be deemed to be a reference to a joint resolution which relates to all of those certifications.

(B) AMENDMENTS.—If the text of a joint resolution under section 1087(b) contains more than one section, amendments which would strike one of those sections shall be in order but amendments which would add an additional section shall not be in order.

(b) FORM OF JOINT RESOLUTIONS.—

(1) PRIOR CONGRESSIONAL AUTHORIZATION.—The joint resolution required by section 1087(b)(1) is a joint resolution the text of which consists only of one or more sections, each of which reads as follows: “The proposed _____ to _____ described in the certification submitted pursuant to section 1087(a) of the Arms Export Reform Act of 2021, which was received by Congress on _____

(Transmittal number) is authorized.”, with the appropriate activity, whether sale, export, lease, or loan, and the appropriate country or international organization, date, and transmittal number inserted.

(2) NATO AND CERTAIN COUNTRIES.—The joint resolution required by section 1087(b)(2) is a joint resolution the text of which consists of only one section, which reads as follows: “That the proposed _____ to _____ described in the certification submitted pursuant to section 1087(a) of the Arms Export Reform Act of 2021, which was received by Congress on _____ (Transmittal number) is not authorized.”, with the appropriate activity, whether sale, export, lease, or loan, and the appropriate country or international organization, date, and the transmittal number inserted.

SEC. 1089. EMERGENCY PROCEDURES UNDER ARMS EXPORT CONTROL ACT.

Section 36 of the Arms Export Control Act is amended by adding at the end the following:

“(j) RESTRICTION ON EMERGENCY AUTHORITY RELATING TO ARMS SALES UNDER THIS ACT.—A determination of the President that an emergency exists requiring a proposed transfer of defense articles or defense services in the national security interests of the United States, thus waiving the congressional review requirements pursuant to section 3 —

“(1) shall apply only if—

“(A) the President submits a determination and justification for each individual approval, letter of offer, or license for the defense articles or defense services that includes a specific and detailed description of how such waiver of the congressional review requirements directly responds to or addresses the circumstances of the emergency cited in the determination; and

“(B) the delivery of the defense articles or defense services will take place not later than 60 days after the date on which such determination is made, unless otherwise authorized by Congress; and

“(2) shall not apply in the case of defense articles or defense services that include manufacturing or co-production of the articles or services outside the United States.”.

SEC. 1090. CONFORMING AMENDMENTS.

(a) GOVERNMENT-TO-GOVERNMENT SALES.—

(1) IN GENERAL.—Section 36(b) of the Arms Export Control Act (22 U.S.C. 2776(b)) is amended—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), in the first sentence, by striking “Subject to paragraph (6)” and inserting “Subject to paragraph (4)”; and

(ii) in the flush text following subparagraph (P), by striking the last 2 sentences;

(B) by striking paragraphs (2) and (3);

(C) by redesignating paragraphs (4), (5), and (6) as paragraphs (2), (3), and (4), respectively;

(D) in subparagraph (C) of paragraph (3), as so redesignated, in the first sentence, by striking “Subject to paragraph (6)” and inserting “Subject to paragraph (4)”; and

(E) in paragraph (4), as redesignated by subparagraph (C) of this paragraph, in the matter preceding subparagraph (A), by striking “in paragraph (5)(C)” and inserting “in paragraph (3)(C)”.

(2) CONFORMING AMENDMENT.—Section 38(f)(5)(B)(ii) of such Act (22 U.S.C. 2778(f)(5)(B)(ii)) is amended by striking “section 36(b)(5)(A)” and inserting “section 36(b)(3)(A)”.

(b) COMMERCIALLY LICENSED SALES.—Section 36(c) of such Act (22 U.S.C. 2776(c)) is amended—

(1) in paragraph (1), in the first sentence, by striking “Subject to paragraph (5), in” and inserting “In”;

(2) by striking paragraphs (2) through (5); and

(3) by redesignating paragraph (6) as paragraph (2).

(c) LEGISLATIVE REVIEW OF LEASES AND LOANS.—

(1) REPEAL.—Section 63 of such Act (22 U.S.C. 2796b) is repealed.

(2) CONFORMING AMENDMENT.—Section 62(b) of such Act (22 U.S.C. 2976a(b)) is amended, in the first sentence, by striking “(and in the case)” and all that follows through “(of that section)”.

SEC. 1091. APPLICABILITY.

This part and the amendments made by this part shall apply with respect to any letter of offer or license for export issued, or any lease or loan made, after the date of the enactment of this Act.

PART III—NATIONAL EMERGENCIES ACT REFORM

SEC. 1093. REQUIREMENTS RELATING TO DECLARATION AND RENEWAL OF NATIONAL EMERGENCIES.

Section 201 of the National Emergencies Act (50 U.S.C. 1621) is amended to read as follows:

“SEC. 201. DECLARATIONS AND RENEWALS OF NATIONAL EMERGENCIES.

“(a) AUTHORITY TO DECLARE NATIONAL EMERGENCIES.—With respect to Acts of Congress authorizing the exercise, during the period of a national emergency, of any special or extraordinary power, the President is authorized to declare such a national emergency by proclamation. Such proclamation shall immediately be transmitted to Congress and published in the Federal Register.

“(b) SPECIFICATION OF PROVISIONS OF LAW TO BE EXERCISED.—

“(1) IN GENERAL.—No powers or authorities made available by statute for use during the period of a national emergency shall be exercised unless and until the President specifies the provisions of law under which the President proposes that the President or other officers will act in—

“(A) a proclamation declaring a national emergency under subsection (a); or

“(B) one or more Executive orders relating to the emergency published in the Federal Register and transmitted to Congress.

“(2) LIMITATIONS.—The President may—

“(A) specify under paragraph (1) only provisions of law that make available powers and authorities that relate to the nature of the national emergency; and

“(B) exercise such powers and authorities only to address the national emergency.

“(c) TEMPORARY EFFECTIVE PERIODS.—

“(1) IN GENERAL.—A declaration of a national emergency under subsection (a) may last for 30 days from the issuance of the proclamation (not counting the day on which the proclamation was issued) and shall terminate when that 30-day period expires unless there is enacted into law a joint resolution of approval under section 203 with respect to the proclamation.

“(2) EXERCISE OF POWERS AND AUTHORITIES.—Any power or authority made available under a provision of law described in subsection (a) and specified pursuant to subsection (b) may be exercised for 30 days from the issuance of the proclamation or Executive order (not counting the day on which such proclamation or Executive order was issued). That power or authority cannot be exercised once that 30-day period expires, unless there is enacted into law a joint resolution of approval under section 203 approving—

“(A) the proclamation of the national emergency or the Executive order; and

“(B) the exercise of the power or authority specified by the President in such proclamation or Executive order.

“(3) EXCEPTION IF CONGRESS IS UNABLE TO CONVENE.—If Congress is physically unable to convene as a result of an armed attack upon the United States or another national emergency, the 30-day periods described in paragraphs (1) and (2) shall begin on the first day Congress convenes for the first time after the attack or other emergency.

“(d) PROHIBITION ON SUBSEQUENT ACTIONS IF EMERGENCIES NOT APPROVED.—

“(1) SUBSEQUENT DECLARATIONS.—If a joint resolution of approval is not enacted under section 203 with respect to a national emergency before the expiration of the 30-day period described in subsection (c), or with respect to a national emergency proposed to be renewed under subsection (e), the President may not, during the remainder of the term of office of that President, declare a subsequent national emergency under subsection (a) with respect to the same circumstances.

“(2) EXERCISE OF AUTHORITIES.—If a joint resolution of approval is not enacted under section 203 with respect to a power or authority specified by the President in a proclamation under subsection (a) or an Executive order under subsection (b)(1)(B) with respect to a national emergency, the President may not, during the remainder of the term of office of that President, exercise that power or authority with respect to that emergency.

“(e) RENEWAL OF NATIONAL EMERGENCIES.—A national emergency declared by the President under subsection (a) or previously renewed under this subsection, and not already terminated pursuant to subsection (c) or section 202(a), shall terminate on a date that is not later than one year after the President transmitted to Congress the proclamation declaring the emergency under subsection (a) or Congress approved a previous renewal pursuant to this subsection, unless—

“(1) the President publishes in the Federal Register and transmits to Congress an Executive order renewing the emergency; and

“(2) there is enacted into law a joint resolution of approval renewing the emergency pursuant to section 203 before the termination of the emergency or previous renewal of the emergency.

“(f) EFFECT OF FUTURE LAWS.—No law enacted after the date of the enactment of this Act shall supersede this title unless it does so in specific terms, referring to this title, and declaring that the new law supersedes the provisions of this title.”

SEC. 1094. TERMINATION OF NATIONAL EMERGENCIES.

Section 202 of the National Emergencies Act (50 U.S.C. 1622) is amended to read as follows:

“SEC. 202. TERMINATION OF NATIONAL EMERGENCIES.

“(a) IN GENERAL.—Any national emergency declared by the President under section 201(a) shall terminate on the earliest of—

“(1) the date provided for in section 201(c);

“(2) the date on which Congress, by statute, terminates the emergency;

“(3) the date on which the President issues a proclamation terminating the emergency; or

“(4) the date provided for in section 201(e).

“(b) 5-YEAR LIMITATION.—Under no circumstances may a national emergency declared by the President under section 201(a) continue on or after the date that is 5 years after the date on which the national emergency was first declared.

“(c) EFFECT OF TERMINATION.—

“(1) IN GENERAL.—Effective on the date of the termination of a national emergency under subsection (a) or (b)—

“(A) except as provided by paragraph (2), any powers or authorities exercised by reason of the emergency shall cease to be exercised;

“(B) any amounts reprogrammed or transferred under any provision of law with respect to the emergency that remain unobligated on that date shall be returned and made available for the purpose for which such amounts were appropriated; and

“(C) any contracts entered into under any provision of law relating to the emergency shall be terminated.

“(2) SAVINGS PROVISION.—The termination of a national emergency shall not moot—

“(A) any legal action taken or pending legal proceeding not finally concluded or determined on the date of the termination under subsection (a) or (b); or

“(B) any legal action or legal proceeding based on any act committed prior to that date.”

SEC. 1095. REVIEW BY CONGRESS OF NATIONAL EMERGENCIES.

Title II of the National Emergencies Act (50 U.S.C. 1621 et seq.) is amended by adding at the end the following:

“SEC. 203. REVIEW BY CONGRESS OF NATIONAL EMERGENCIES.

“(a) JOINT RESOLUTIONS OF APPROVAL AND OF TERMINATION.—

“(1) DEFINITIONS.—In this section:

“(A) JOINT RESOLUTION OF APPROVAL.—The term ‘joint resolution of approval’ means a joint resolution that contains only the following provisions after its resolving clause:

“(i) A provision approving—

“(I) a proclamation of a national emergency made under section 201(a);

“(II) an Executive order issued under section 201(b)(1)(B); or

“(III) an Executive order issued under section 201(e).

“(i) A provision approving a list of all or a portion of the provisions of law specified by the President under section 201(b) in the proclamation or Executive order that is the subject of the joint resolution.

“(B) JOINT RESOLUTION OF TERMINATION.—The term ‘joint resolution of termination’ means a joint resolution terminating—

“(i) a national emergency declared under section 201(a); or

“(ii) the exercise of any powers or authorities pursuant to that emergency.

“(2) PROCEDURES FOR CONSIDERATION OF JOINT RESOLUTIONS OF APPROVAL.—

“(A) INTRODUCTION.—After the President transmits to Congress a proclamation declaring a national emergency under section 201(a), or an Executive order renewing an emergency under section 201(e) or specifying emergency powers or authorities under section 201(b)(1)(B), a joint resolution of approval or a joint resolution of termination may be introduced in either House of Congress by any member of that House.

“(B) REQUESTS TO CONVENE CONGRESS DURING RECESSES.—If, when the President transmits to Congress a proclamation declaring a national emergency under section 201(a), or an Executive order renewing an emergency under section 201(e) or specifying emergency powers or authorities under section 201(b)(1)(B), Congress has adjourned sine die or has adjourned for any period in excess of 3 calendar days, the Speaker of the House of Representatives and the President pro tempore of the Senate, if they deem it advisable (or if petitioned by at least one-third of the membership of their respective Houses) shall jointly request the President to convene Congress in order that it may consider the proclamation or Executive order and take appropriate action pursuant to this section.

“(C) COMMITTEE REFERRAL.—A joint resolution of approval or a joint resolution of termination shall be referred in each House of Congress to the committee or committees having jurisdiction over the emergency authorities invoked pursuant to the national

emergency that is the subject of the joint resolution.

“(D) CONSIDERATION IN SENATE.—In the Senate, the following rules shall apply:

“(i) REPORTING AND DISCHARGE.—If the committee to which a joint resolution of approval or a joint resolution of termination has been referred has not reported it at the end of 10 calendar days after its introduction, that committee shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar.

“(ii) PROCEEDING TO CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, when the committee to which a joint resolution of approval or a joint resolution of termination is referred has reported the resolution, or when that committee is discharged under clause (i) from further consideration of the resolution, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution to be made, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is subject to 4 hours of debate divided equally between those favoring and those opposing the joint resolution of approval or the joint resolution of termination. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business.

“(iii) FLOOR CONSIDERATION.—A joint resolution of approval or a joint resolution of termination shall be subject to 10 hours of debate, to be divided evenly between the proponents and opponents of the resolution.

“(iv) AMENDMENTS.—

“(I) IN GENERAL.—Except as provided in subclause (II), no amendments shall be in order with respect to a joint resolution of approval or a joint resolution of termination.

“(II) AMENDMENTS TO STRIKE OR ADD SPECIFIED PROVISIONS OF LAW.—Subclause (I) shall not apply with respect to any amendment to a joint resolution of approval to strike from or add to the list required by paragraph (1)(A)(ii) a provision or provisions of law specified by the President under section 201(b) in the proclamation or Executive order.

“(v) MOTION TO RECONSIDER FINAL VOTE.—A motion to reconsider a vote on final passage of a joint resolution of approval or of a joint resolution of termination shall not be in order.

“(vi) APPEALS.—Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

“(E) CONSIDERATION IN HOUSE OF REPRESENTATIVES.—In the House of Representatives, if any committee to which a joint resolution of approval or a joint resolution of termination has been referred has not reported it to the House at the end of 10 calendar days after its introduction, such committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On Thursdays it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for at least 3 calendar days to call up that joint resolution for immediate consideration in the House without intervention of any point of order. When so called up a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. It shall

not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken on or before the close of the tenth calendar day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution, such vote shall be taken on that day.

“(F) RECEIPT OF RESOLUTION FROM OTHER HOUSE.—If, before passing a joint resolution of approval or a joint resolution of termination, one House receives from the other House a joint resolution of approval or a joint resolution of termination—

“(i) the joint resolution of the other House shall not be referred to a committee and shall be deemed to have been discharged from committee on the day it is received; and

“(ii) the procedures set forth in subparagraph (D) or (E), as applicable, shall apply in the receiving House to the joint resolution received from the other House to the same extent as such procedures apply to a joint resolution of the receiving House.

“(G) RULE OF CONSTRUCTION.—The enactment of a joint resolution of approval or of a joint resolution of termination under this subsection shall not be interpreted to serve as a grant or modification by Congress of statutory authority for the emergency powers of the President.

“(b) RULES OF THE HOUSE AND THE SENATE.—Subsection (a) is enacted by Congress—

“(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in the House in the case of joint resolutions of approval, and supersede other rules only to the extent that it is inconsistent with such other rules; and

“(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.”.

SEC. 1096. REPORTING REQUIREMENTS.

Section 401 of the National Emergencies Act (50 U.S.C. 1641) is amended by adding at the end the following:

“(d) REPORT ON EMERGENCIES.—The President shall transmit to Congress, with any proclamation declaring a national emergency under section 201(a), or Executive order renewing an emergency under section 201(e) or specifying emergency powers or authorities under section 201(b)(1)(B), a report, in writing, that includes the following:

“(1) A description of the circumstances necessitating the declaration of a national emergency, the renewal of such an emergency, or the use of a new emergency authority specified in the Executive order, as the case may be.

“(2) The estimated duration of the national emergency.

“(3) A summary of the actions the President or other officers intend to take, including any reprogramming or transfer of funds, and the statutory authorities the President and such officers expect to rely on in addressing the national emergency.

“(4) In the case of a renewal of a national emergency, a summary of the actions the President or other officers have taken in the preceding one-year period, including any reprogramming or transfer of funds, to address the emergency.

“(e) PROVISION OF INFORMATION TO CONGRESS.—The President shall provide to Congress such other information as Congress

may request in connection with any national emergency in effect under title II.

“(f) PERIODIC REPORTS ON STATUS OF EMERGENCIES.—If the President declares a national emergency under section 201(a), the President shall, not less frequently than every 180 days for the duration of the emergency, report to Congress on the status of the emergency and the actions the President or other officers have taken and authorities the President and such officers have relied on in addressing the emergency.

“(g) FINAL REPORT ON ACTIVITIES DURING NATIONAL EMERGENCY.—Not later than 90 days after the termination under section 202 of a national emergency declared under section 201(a), the President shall transmit to Congress a final report describing—

“(1) the actions that the President or other officers took to address the emergency; and

“(2) the powers and authorities the President and such officers relied on to take such actions.

“(h) PUBLIC DISCLOSURE.—Each report required by this section shall be transmitted in unclassified form and be made public at the same time the report is transmitted to Congress, although a classified annex may be provided to Congress, if necessary.”.

SEC. 1097. CONFORMING AMENDMENTS.

(a) NATIONAL EMERGENCIES ACT.—Title III of the National Emergencies Act (50 U.S.C. 1631) is repealed.

(b) INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.—Section 207 of the International Emergency Economic Powers Act (50 U.S.C. 1706) is amended—

(1) in subsection (b), by striking “if the national emergency” and all that follows through “under this section.” and inserting the following: “if—

“(1) the national emergency is terminated pursuant to section 202(a)(2) of the National Emergencies Act; or

“(2) a joint resolution of approval is not enacted as required by section 203 of that Act to approve—

“(A) the national emergency; or

“(B) the exercise of such authorities.”; and (2) in subsection (c)(1), by striking “paragraphs (A), (B), and (C) of section 202(a)” and inserting “section 202(c)(2)”.

SEC. 1098. APPLICABILITY.

(a) IN GENERAL.—Except as provided in subsection (b), this part and the amendments made by this part shall take effect on the date of the enactment of this Act.

(b) APPLICATION TO NATIONAL EMERGENCIES PREVIOUSLY DECLARED.—A national emergency declared under section 201 of the National Emergencies Act before the date of the enactment of this Act shall be unaffected by the amendments made by this part, except that such an emergency shall terminate on the date that is not later than one year after such date of enactment unless the emergency is renewed under subsection (e) of such section 201, as amended by section 1093 of this Act.

SA 4269. Mr. WICKER (for himself, Ms. COLLINS, Mr. KING, and Mrs. HYDE-SMITH) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title I, add the following:

SEC. 138. REPORT ON THE POTENTIAL BENEFITS OF A MULTIYEAR CONTRACT FOR FISCAL YEAR 2023 THROUGH 2027 FOR THE PROCUREMENT OF FLIGHT III ARLEIGH BURKE-CLASS DESTROYERS.

(a) IN GENERAL.—Not later than March 1, 2022, the Secretary of the Navy shall submit to the congressional defense committees a report on the potential benefits of a multiyear contract for the period of fiscal year 2023 through 2027 for the procurement of Flight III Arleigh Burke-class destroyers.

(b) ELEMENTS.—The report required by subsection (a) shall include preliminary findings, and the basis for such findings, of the Secretary with respect to whether—

(1) the use of a contract described in such subsection could result in significant savings of the total anticipated costs of carrying out the program through annual contracts;

(2) the minimum need for the destroyers described in such subsection to be purchased is expected to remain substantially unchanged during the contemplated contract period in terms of production rate, procurement rate, and total quantities;

(3) there is a reasonable expectation that throughout the contemplated contract period the Secretary of Defense will request funding for the contract at the level required to avoid contract cancellation;

(4) there is a stable design for the destroyers to be acquired and that the technical risks associated with such property are not excessive;

(5) the estimates of both the cost of the contract and the anticipated cost avoidance through the use of a multiyear contract are realistic; and

(6) the use of such a contract will promote the national security of the United States.

(c) EVALUATION BY QUANTITY.—The report required by subsection (a) shall evaluate each of the following quantities of Flight III Arleigh Burke-class destroyers for the period described in such subsection:

(1) 10.

(2) 12.

(3) 15.

(4) Any other quantities the Secretary of the Navy considers appropriate.

SA 4270. Ms. BALDWIN (for herself and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 318. CONSIDERATION UNDER DEFENSE ENVIRONMENTAL RESTORATION PROGRAM FOR STATE-OWNED FACILITIES OF THE NATIONAL GUARD WITH PROVEN EXPOSURE OF HAZARDOUS SUBSTANCES AND WASTE.

(a) DEFINITION OF STATE-OWNED NATIONAL GUARD FACILITY.—Section 2700 of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4) The term ‘State-owned National Guard facility’ means land owned and operated by a State when such land is used for training the National Guard pursuant to chapter 5 of title 32 with funds provided by the Secretary of Defense or the Secretary of a military department, even though such land is not

under the jurisdiction of the Department of Defense.”.

(b) **AUTHORITY FOR DEFENSE ENVIRONMENTAL RESTORATION PROGRAM.**—Section 2701(a)(1) of such title is amended, in the first sentence, by inserting “and at State-owned National Guard facilities” before the period.

(c) **RESPONSIBILITY FOR RESPONSE ACTIONS.**—Section 2701(c)(1) of such title is amended by adding at the end the following new subparagraph:

“(D) Each State-owned National Guard facility currently being used for training the National Guard pursuant to chapter 5 of title 32.”.

SA 4271. Mr. REED (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, insert the following:

SEC. 728. ASSIGNMENT OF MEDICAL AND DENTAL PERSONNEL OF THE MILITARY DEPARTMENTS TO MILITARY MEDICAL TREATMENT FACILITIES.

(a) **IN GENERAL.**—The Secretaries of the military departments shall ensure that the Surgeons General of the Armed Forces carry out fully the requirements of section 712(b)(3) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 1073c note) by not later than September 30, 2022.

(b) **ASSIGNMENTS TO MILITARY MEDICAL TREATMENT FACILITIES.**—For purposes of carrying out fully the requirements of section 712(b)(3) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, as required by subsection (a), assignment of uniformed medical and dental personnel to a military medical treatment facility pursuant to such section may be accomplished by the assignment of such personnel to an organizational unit of the military department concerned under a service manpower document with allocation against a manpower requirement on a Defense Health Agency manpower document of a military medical treatment facility with duty at the military medical treatment facility.

(c) **ADDITIONAL REQUIREMENT FOR WALTER REED NATIONAL MILITARY MEDICAL CENTER.**—

(1) **ASSIGNMENT OF MILITARY PERSONNEL.**—For fiscal years 2023 through 2027, except as provided in paragraph (2), the Secretary of Defense shall ensure that the Secretaries of the military departments assign to the Walter Reed National Military Medical Center sufficient military personnel to meet not less than 85 percent of the joint table of distribution in effect for such facility on December 23, 2016.

(2) **EXCEPTION.**—Paragraph (1) shall not apply to any fiscal year for which the Secretary of Defense certifies at the beginning of such fiscal year to the Committees on Armed Services of the Senate and the House of Representatives that notwithstanding the failure to meet the requirement under such paragraph, the Walter Reed National Military Medical Center is fully capable of carrying out all significant activities as the premier medical center of the military health system.

(d) **REPORTS.**—

(1) **IN GENERAL.**—Not later than September 30, 2022, each Secretary of a military department shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the compliance of the military department concerned with this section.

(2) **ELEMENTS.**—

(A) **IN GENERAL.**—Each report required by paragraph (1) shall include—

(i) an accounting of the number of uniformed personnel and civilian personnel assigned to a military medical treatment facility as of October 1, 2019; and

(ii) a comparable accounting as of September 30, 2022.

(B) **EXPLANATION.**—If the number specified in clause (ii) of subparagraph (A) is less than the number specified in clause (i) of such subparagraph, the Secretary concerned shall provide a full explanation for the reduction.

SA 4272. Mr. OSSOFF submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1054. BRIEFING ON GEOGRAPHIC EXPANSION OF DEFENSE INNOVATION UNIT ACTIVITIES.

Not later than one year after enactment of this Act, the Secretary of Defense shall provide a briefing to Congress on courses of action to expand the geographic reach of Defense Innovation Unit activities to new or underserved regions, with particular emphasis on—

(1) access to partnership opportunities at institutions of higher education that conduct relevant Federally funded research;

(2) access to a relevant private commercial sector; and

(3) proximity to major Department of Defense installations and relevant activities.

SA 4273. Mr. OSSOFF (for himself, Mr. TILLIS, Mr. SCOTT of South Carolina, Mr. KING, Ms. CORTEZ MASTO, Mr. KELLY, and Mr. ROUNDS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . DR. DAVID SATCHER CYBERSECURITY EDUCATION GRANT PROGRAM.

(a) **DEFINITIONS.**—In this section:

(1) **ENROLLMENT OF NEEDY STUDENTS.**—The term “enrollment of needy students” has the meaning given the term in section 312(d) of the Higher Education Act of 1965 (20 U.S.C. 1058(d)).

(2) **HISTORICALLY BLACK COLLEGE OR UNIVERSITY.**—The term “historically Black col-

lege or university” has the meaning given the term “part B institution” as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(3) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(4) **MINORITY-SERVING INSTITUTION.**—The term “minority-serving institution” means an institution listed in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

(5) **SECRETARY.**—The term “Secretary” means the Secretary of Homeland Security.

(b) **AUTHORIZATION OF GRANTS.**—

(1) **IN GENERAL.**—The Secretary shall—

(A) award grants to assist institutions of higher education that have an enrollment of needy students, historically Black colleges and universities, and minority-serving institutions, to establish or expand cybersecurity programs, to build and upgrade institutional capacity to better support new or existing cybersecurity programs, including cybersecurity partnerships with public and private entities, and to support such institutions on the path to producing qualified entrants in the cybersecurity workforce or becoming a National Center of Academic Excellence in Cybersecurity; and

(B) award grants to build capacity at institutions of higher education that have an enrollment of needy students, historically Black colleges and universities, and minority-serving institutions, to expand cybersecurity education opportunities, cybersecurity technology and programs, cybersecurity research, and cybersecurity partnerships with public and private entities.

(2) **RESERVATION.**—The Secretary shall award not less than 50 percent of the amount available for grants under this section to historically Black colleges and universities and minority-serving institutions.

(3) **COORDINATION.**—The Secretary shall carry out this section in coordination with the National Initiative for Cybersecurity Education at the National Institute of Standards and Technology.

(4) **SUNSET.**—The Secretary’s authority to award grants under paragraph (1) shall terminate on the date that is 5 years after the date the Secretary first awards a grant under paragraph (1).

(5) **AMOUNTS TO REMAIN AVAILABLE.**—Notwithstanding section 1552 of title 31, United States Code, or any other provision of law, funds available to the Secretary for obligation for a grant under this section shall remain available for expenditure for 100 days after the last day of the performance period of such grant.

(c) **APPLICATIONS.**—An eligible institution seeking a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require, including a statement of how the institution will use the funds awarded through the grant to expand cybersecurity education opportunities at the eligible institution.

(d) **ACTIVITIES.**—An eligible institution that receives a grant under this section may use the funds awarded through such grant for increasing research, education, technical, partnership, and innovation capacity, including for—

(1) building and upgrading institutional capacity to better support new or existing cybersecurity programs, including cybersecurity partnerships with public and private entities;

(2) building and upgrading institutional capacity to provide hands-on research and